

Summary of January 30 Puget Sound Nutrient Forum Feedback



Background:

On January 30, 2020, Ecology announced its decision to move forward with a Nutrients General Permit. As part of this process, Ecology will work with an Advisory Committee to develop a draft general permit. We asked the Nutrient Forum a series of questions to gather their feedback on different elements of the advisory committee. We compiled the differing feedback into this summary document, sorted by the topics we discussed.

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Member Composition

Question: We suggest the Advisory Committee includes at least one member from the following classifications. Is there any type of representation missing from this group?

<ul style="list-style-type: none">• Small WWTP• Medium WWTP• Large WWTP• Geographic spread across Puget Sound<ul style="list-style-type: none">– North, Central, South– Each basin in SSM• Other?	<ul style="list-style-type: none">• City-owned WWTPs• County-owned WWTPs• Sewer districts• Private WWTPs• Operators• Conveyors only• Tribes• Environmental Organizations• Other State Agencies• EPA
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(WWTP= Wastewater treatment plant)

Advisory Committee, general comments

- Concerns about the size of 15 members—is it possible to increase to 20 members?
 - Environmental groups are concerned that the committee will be overladen with dischargers and those from regulated community. Should be strong presence of people with environmental/best water quality outcomes perspective
 - If you wish to keep the group small, you will need to reduce the number of WWTP representatives to allow for additional representation tribes, and other stakeholders groups. You are asking environmental, tribal, and agencies to represent diverse interests, seems like the WWTP should be expected to do the same.
- Consider advisory committee as STAG (Stakeholder and Tribal Advisory Group). Tribes are sovereign nations and not simple stakeholders
- Need to ensure all sizes and regions are represented
- Advisory committee needs to build more political will and compelling arguments for why future upgrades are necessary
- Support for diversity of governance
- Ecology should develop and attach a list of technical and program specialists that are involved in this project. Make available for discussions or questions at or between committee meetings
- Range of economic backgrounds and resources
- Economic variability in the advisory committee:
 - Environmental justice
 - Affordability index
 - Median incomes
- Geographical cover
 - Geographical Cover—use Bays vs. Central Sound as way to just representation
 - Create ‘Straits Action Group’ for Admiralty Inlet westward
- Reps should cover each group with an organization
 - Management
 - Mid-level
 - Operators

Wastewater treatment plants representation

- Support for including different sizes of WWTPs, but need to make sure buckets of ‘small WWTPs’ and ‘large WWTPs’ are able to represent the extremes (very very small WWTPs and very very large WWTPs)
- Geographical range is important if regulations will vary by region
- Entities that already have IPs with nutrient controls
- Rep for WWTPs that are designed for nutrient removal and not designed for nutrient removal (varied levels of technology)
- Use representatives that already represent an association or large group of interested parties (CCW, AWCA)
- Include WWTP that is at build out/capacity and WWTP that is not at build out/capacity
- Representation—include rural vs. urban
- Representatives with growth management concerns (less property/area for growth) and representatives with less growth management concern

Additional representation to consider

- If scope includes trading, Trade Associations and nonpoint representative will be important
- Include a role for attorneys (environmental organizations)
- Include professional organization—PNCWA, engineers, consultants
- Elected officials
- Special Utilities districts
- Include agricultural representative (disagreement about this)
- Include conservation district (disagreement about this)
- Water and Sewer District Associations
- Growth Management Board representative
- Representation from university/college students
- Representation from communities most affected by nutrient sources and proposed permit/management actions
- Scientists who are experts on nutrient reduction technologies (preferably independent)
- Technical expertise
 - Modelers
 - Process/WW engineers
 - Economics/finance expertise
 - Funding
- More State agencies
 - Natural resource agencies (state level)
 - Department of Health
 - Ecology
 - Puget Sound Partnership
- Include role for consultants, as technical advisors or as municipal representatives
 - Have small WWTPs decide on which consultant

Tribal representation

- Send formal notification and invitation to participate to all affected tribes through their Tribal leaders via government to government consultation
- Establish a minimum of 2 seats for Tribes
- Tribes, NWIFC mentioned several times and Tribes who operate treatment plant

Environmental group representation

- Establish a minimum of 2 seats for environmental organizations

Suggested cuts from proposed organizations and characteristics

- Conveyors, others supported the importance of including conveyors
- EPA—questions from groups about whether EPA needs to be at table
- Concerns about including consultants—conflict of interest since this may bring in business

Member Roles

Question: We want a core committee that is manageable in size that represent the variety of WWTPs we intend to cover with the permit. We expect committee members will communicate to other permittees outside the formal advisory committee and gather information from others to bring to committee. We want to ensure committee members are able to represent and be the voice for those not at the table. How can we make this expectation successful?

General

- Driven by permit scope
- Use a 3rd party facilitator
- Create a Charter for the advisory committee
- Goal of consensus (incorporating outreach when differences)
- Need clear understanding of advisory committee's involvement/limits/role
- Developed with member guidance/input
- Tech experts vs. general
- Some topics may require manager
- Assign alternates for if advisory committee member cannot attend
- Recognize time constraints
- Support from employer is essential
- Level of representative
 - How will you know who is involved?
 - How can you represent different opinions?
- Connect financial managers with planners and operators
- Concern that we are asking too much of individuals in a compressed time
 - Suggest subcommittees to support the representation aspect

Communications

- Documentation is important
- Ecology can help with the communications part by making meeting agendas, meeting summaries, technical support documents, and related materials quickly and easily available for sharing within the groups

- Create a website where materials can be viewed
- Forum webpage with documents, presentations, etc.
- Centralized repository for outside materials (ex: letter from commissioner)
- Ecology should create list serves for specific representative—i.e. someone representing small WWTPs could send out communication/update to the other small WWTPs
- Consider regular communications with Tribes through the NWIFC Coordinated Tribal Water Quality Program
- Use surveys/standardized ways for reps to get feedback outside of advisory committee group
- Using technology to share information
- SharePoint

Nomination Process

- Advisory committee groups listed should nominate (choose) their own representatives with these concerns in mind after discussions within their groups
- Send out nominee list to listserv and provide opportunity for Forum to comment
- Nomination process—judge qualification based on their experience of communicating and engaging with other stakeholders
- Choose member organizations that already have communication avenues/ways to share information
- Contingent on effective nomination process
- Nomination process question: ask representative how they will get stakeholders up to speed who have not participated in Forum or process?

Ensuring representation

- Be clear to reps of member responsibility and level of commitment
- Clearly define who each representative is representing
- Publish member profiles and who they are representing and their contact info

Scope

Question: The Advisory Committee will be used to solicit feedback on permit coverage requirements, application requirements, and limits, such as loading caps, optimization of existing processes and planning requirements. Is there anything missing that you would add to this scope of work?

General Scope ideas

- Water quality trading
 - Model agreements
 - Accounting/currency
 - Infrastructure
- Communication and outreach about GP and process
- Bring in experts from other regions, specifically those who have dealt with nutrient caps and limits and could discuss alternate pathways
- Be clear with advisory committee about what’s “off the table” so they know what cannot change, what is not up for debate, and why
- How to incorporate various plant efficiencies, capacities?

- Options for exemptions or allowances
- Pre-plant nutrient reductions
- Growth Management and regional growth impacts
 - Impact of/on Growth Management Act
 - Plants with known growth (anticipated)
 - Emphasis on housing affordability
 - Rates
 - Capacity issues for some plants
- Concerns about messaging about river sources
- Concerns about moratoriums

General Permit Development topics

- Implementation schedule
 - Duration for requirements (deliverable product)
- Adaptive management of GP (change/stop/etc.)
- How will we measure GP effectiveness?
- Inputs on future GP rounds/phases
- Compliance measurement (and reinforcement)
- Sequencing implementation
 - Consultants
 - Contractors
 - Vendors
- Limits should be driven by science
 - Application of potential limits are reflective of need-based science—keep based on geography and science
- How to calculate load cap?
 - What if there is an exceedance violation?
 - Allowances?
 - Define pathways
- What are the planning docs (standardize/define)?
 - Timing, scope, content
- Guidance Development
- Length of time for committee
- If there are iterations over time, may need the committee to meet for longer period of time
- Pre-existing optimization credits
- Advisory committee should get into the technical weeds of the NGP, but provide opportunity for alternates so that we can make sure technical experts have seat at the table

Individual Permits

- Individual permits: if you have an IP and are participating, what does this look like?
- Are IPs and GPs considered entirely separately?
 - Clear pathway here desired

- Clean communication to “straddlers”
- How duplicative will the application process for IP and GP be?
- Will there be modifications transitioning from IP to GP?

Resource Recovery

- Consider the cost savings involved in treating "wastes" at the source or in smaller aggregates closer to the source
- Begin transition to closed loop systems. There is no “away”, there should be no outfall, there should be no “waste”—these are resources

Monitoring

- Are we collecting appropriate data?
- Data collection/monitoring for compliance to inform/improve model

Funding/Economics

- Funding—grants, loans, etc. (fed/state/local)
 - Sources and opportunities
 - Criteria for prioritizing funded projects
- Incentives for permittees who use source control or distributed treatment options
- Whether economically disadvantages areas treated differently

Plants

- Info sharing about plant efficiencies
- Plant optimization

Nutrient Forum Topics

- Some issues that arise from advisory committee members or public comment may not be appropriate for the committee or the NGP, for example issues concerning public funding, BC dischargers, industrial and commercial dischargers, modeling, etc. In that case, a parking lot of such issues should be developed to be addressed either by the Nutrients Forum, by Ecology, or through another means
- Continue Puget Sound Nutrient Forum meetings to focus efforts on understanding and attacking watershed nutrient sources
 - Innovative solutions to small and medium sized OSS
 - Closed-loop resource recovery systems that are affordable, safe, and easy to operate

Meeting Logistics

Question: We are interested in your feedback about meeting logistics. Do you have any preferences on the following details:

- **Webinar vs. in-person meetings**
- **Scheduling**
- **Length and location of meetings**

Webinar vs. in-person

- Important that committee members meet in person

- Record the meetings and make available to public
- Webinar component for listeners/public
- Consider public involvement
- Make sure meeting spaces are large enough for all, including public attendees
- Webinar shouldn't be used for committee members, but good for public and potential weather issues

Scheduling (frequency of meetings)

- Frequency—adapting depending on topics of group
- Monthly meetings/webinars are fine and might help ensure that topics can be initially broached at one meeting and then fully discussed at a later meeting, giving the committee members time to have side discussions within their affiliated groups

Half-day vs. full day meetings

- Middle of day (late morning start, early PM end)

Location of meetings

- Rotation location to reduce burden, also allows the public to vary
- West Sound → ok travelling to South Sound or ferry access

General logistics feedback

- Consider travel reimbursement
- Ask the committee members once formed for more details about meetings
- Ecology should send early agenda and materials, more than one week
- Clear meeting goals to set stage
- Rotating location
 - North Sound is difficult
- Create progress with in person meetings
- Open to sub-committees
 - Ecology involvement
 - Feedback from advisory committee to Ecology
- Consider third party, neutral facilitator
- Leadership model? Or consensus? Or governance?
 - Who holds decision power? Advisory only?
- Buy-in is a goal
- Use voting and majority for making decisions